

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

In re:) Chapter 11
)
JAB Energy Solutions II, LLC,¹) Case No. 21-11226 (CGT)
)
Debtor.)
)

Objection Deadline: November 24, 2022 at 4:00 p.m.
Hearing Date: To be scheduled

**FOURTH QUARTERLY APPLICATION FOR
COMPENSATION AND REIMBURSEMENT OF EXPENSES OF
PACHULSKI STANG ZIEHL & JONES LLP, AS COUNSEL
FOR THE DEBTOR AND DEBTOR IN POSSESSION
FOR THE PERIOD FROM JUNE 1, 2022 THROUGH AUGUST 31, 2022**

Name of Applicant:	Pachulski Stang Ziehl & Jones LLP
Authorized to Provide Professional Services to:	Debtor and Debtor in Possession
Date of Retention:	Effective <i>nunc pro tunc</i> to September 7, 2021 by order signed on or about November 15, 2021
Period for which Compensation and Reimbursement is Sought:	June 1, 2022 through August 31, 2022
Amount of Compensation Sought as Actual, Reasonable and Necessary:	\$194,426.00
Amount of Expense Reimbursement Sought as Actual, Reasonable and Necessary:	\$ 2,941.76

This is a: ☐ monthly ☒ interim ☐ final application.

The total time expended for fee application preparation is approximately 3.0 hours and the corresponding compensation requested is approximately \$1,000.00.

¹ The last four digits of the Debtor's U.S. tax identification number are 3625. The Debtor's mailing address is 19221 I-45 South, Suite 324, Shenandoah, TX 77385.

PRIOR APPLICATIONS FILED

Date Filed	Period Covered	Requested Fees	Requested Expenses	Approved Fees	Approved Expenses
01/12/22	09/07/21 – 09/30/21	\$234,341.50	\$2,792.73	\$234,341.50	\$2,792.73
02/01/22	10/01/21 – 10/31/21	\$195,367.50	\$2,165.57	\$195,367.50	\$2,165.57
02/22/22	11/01/21 – 11/30/21	\$ 65,495.00	\$ 465.77	\$ 65,495.00	\$ 465.77
03/16/22	12/01/21 – 12/31/21	\$ 53,486.50	\$ 190.36	\$ 42,789.20	\$ 190.36
04/19/22	01/01/22 – 01/31/22	\$ 94,036.00	\$ 170.24	\$ 75,228.80	\$ 170.24
08/01/22	02/01/22 – 02/28/22	\$211,449.00	\$3,857.92	\$211,449.00	\$3,857.92
08/02/22	03/01/22 – 03/31/22	\$ 93,430.00	\$ 759.20	\$ 74,744.00	\$ 759.20
08/30/22	04/01/22 – 04/30/22	\$131,723.00	\$ 764.43	\$105,378.40	\$ 764.43
10/31/22	05/01/22 – 05/31/22	\$ 54,946.00	\$ 326.57	Pending	Pending
10/31/22	06/01/22 – 06/30/22	\$ 20,007.00	\$ 903.33	Pending	Pending
11/02/22	07/01/22 – 07/31/22	\$ 54,137.00	\$ 161.08	Pending	Pending
11/02/22	08/01/22 – 08/31/22	\$120,282.00	\$1,877.35	Pending	Pending

PSZ&J PROFESSIONALS

Name of Professional Individual	Position of the Applicant, Number of Years in that Position, Prior Relevant Experience, Year of Obtaining License to Practice, Area of Expertise	Hourly Billing Rate (including Changes)	Total Hours Billed	Total Compensation
Laura Davis Jones	Partner 2000; Joined Firm 2000; Member of DE Bar since 1986	\$1,575.00	5.70	\$ 8,977.50
Richard J. Gruber	Of Counsel 2008; Member of CA Bar since 1993	\$1,395.00	0.50	\$ 712.50
David M. Bertenthal	Partner 1999; Member of CA Bar since 1993	\$1,395.00	0.20	\$ 279.00
Maxim B. Litvak	Partner 2004; Member of TX Bar since 1997; Member of CA Bar since 2001	\$1,275.00	38.10	\$48,577.50
Mary F. Caloway	Of Counsel 2020; Member of DE Bar since 1992	\$1,195.00	2.00	\$ 2,390.00
Jonathan J. Kim	Of Counsel 1999; Member of CA Bar since 1995	\$1,095.00	22.90	\$25,075.50
Colin R. Robinson	Of Counsel 2012; Member of NY since 1997; Member of NJ & PA Bars since 2001; Member of DE Bar since 2010	\$1,025.00	76.60	\$78,515.00

Name of Professional Individual	Position of the Applicant, Number of Years in that Position, Prior Relevant Experience, Year of Obtaining License to Practice, Area of Expertise	Hourly Billing Rate (including Changes)	Total Hours Billed	Total Compensation
William L. Ramseyer	Of Counsel 1989; Member of CA Bar since 1980	\$ 925.00	7.60	\$ 7,030.00
Edward A. Corma	Associate 2022; Member of NJ Bar since 2018; Member of PA Bar since 2019; Member of DE Bar since 2020	\$ 675.00	10.40	\$ 7,020.00
Patricia E. Cuniff	Paralegal	\$ 495.00	22.20	\$10,989.00
Ian Densmore	Paralegal	\$ 495.00	3.60	\$ 1,782.00
Cheryl A Knotts	Paralegal	\$ 460.00	3.60	\$ 1,656.00
Karen S. Neil	Case Management Assistant	\$ 395.00	3.60	\$ 1,422.00

Grand Total: \$194,426.00
Total Hours: 197.00
Blended Rate: \$986.93

COMPENSATION BY CATEGORY

Project Categories	Total Hours	Total Fees
Appeals	0.80	\$ 845.00
Bankruptcy Litigation	46.30	\$ 44,219.50
Case Administration	14.10	\$ 7,327.50
Claims Admin/Objections	2.80	\$ 2,696.00
Compensation of Professional	14.50	\$ 11,510.50
Executory Contracts	1.80	\$ 1,895.00
Financial Filings	1.80	\$ 1,633.00
Financing	0.70	\$ 717.50
Plan & Disclosure Statement	114.20	\$123,582.00

EXPENSE SUMMARY

Expense Category	Service Provider² (if applicable)	Total Expenses
Conference Call	AT&T Conference Call	\$ 10.12
Express Mail	Federal Express	\$ 210.68
Legal Research	Lexis/Nexis	\$ 254.81
Court Research	Pacer	\$ 220.00
Postage	US Mail	\$ 148.20
Reproduction Expense		\$ 106.50
Reproduction/ Scan Copy		\$ 279.30
Transcript	eScribers LLC	\$1,712.15

² PSZ&J may use one or more service providers. The service providers identified herein below are the primary service providers for the categories described.

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

In re:) Chapter 11
)
JAB Energy Solutions II, LLC,¹) Case No. 21-11226 (CGT)
)
Debtor.)
)
Objection Deadline: November 24, 2022 at 4:00 p.m.
Hearing Date: To be scheduled

**FOURTH QUARTERLY APPLICATION FOR
COMPENSATION AND REIMBURSEMENT OF EXPENSES
OF PACHULSKI STANG ZIEHL & JONES LLP, AS
COUNSEL FOR THE DEBTOR AND DEBTOR IN POSSESSION
FOR THE PERIOD FROM JUNE 1, 2022 THROUGH AUGUST 31, 2022**

Pursuant to sections 330 and 331 of Title 11 of the United States Code (the “Bankruptcy Code”) and Rule 2016 of the Federal Rules of Bankruptcy Procedure (collectively, the “Bankruptcy Rules”), and the “Order Establishing Procedures for Interim Compensation and Reimbursement of Expenses of Professionals,” signed on or about October 21, 2021 (the “Administrative Order”), Pachulski Stang Ziehl & Jones LLP (“PSZ&J” or the “Firm”), Counsel for the Debtor and Debtor in Possession, hereby submits its Fourth Quarterly Application for Compensation and for Reimbursement of Expenses for the Period from June 1, 2022 through August 31, 2022 (the “Application”).

By this Application PSZ&J seeks an interim allowance of compensation in the amount of \$194,426.00 and actual and necessary expenses in the amount of \$2,941.76 for a total allowance of \$197,367.76 and payment of the unpaid amount of such fees and expenses for the

¹ The last four digits of the Debtor’s U.S. tax identification number are 3625. The Debtor’s mailing address is 19221 I-45 South, Suite 324, Shenandoah, TX 77385.

period June 1, 2022 through August 31, 2022 (the “Interim Period”). In support of this Application, PSZ&J respectfully represents as follows.

Background

1. On September 7, 2021 (the “Petition Date”), the Debtor filed a voluntary petition for relief under Chapter 11 of the Bankruptcy Code. The Debtor continued in possession of its property and continued to operate and manage its business as debtor in possession pursuant to sections 1107(a) and 1108 of the Bankruptcy Code. No trustee or examiner has been appointed in the Debtor’s chapter 11 case.

2. The Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334. This is a core proceeding pursuant to 28 U.S.C. § 157(b)(2).

3. On or about October 21, 2021, the Court signed the Administrative Order, authorizing certain professionals (“Professionals”) to submit monthly applications for interim compensation and reimbursement for expenses, pursuant to the procedures specified therein. The Administrative Order provides, among other things, that a Professional may submit monthly fee applications. If no objections are made within twenty-one (21) days after service of the monthly fee application the Debtor is authorized to pay the Professional eighty percent (80%) of the requested fees and one hundred percent (100%) of the requested expenses. Beginning with the period ending November 30, 2021 and at three-month intervals thereafter or such other intervals convenient to the Court, each of the Professionals may file and serve an interim application for allowance of the amounts sought in its monthly fee applications for that period. All fees and expenses paid are on an interim basis until final allowance by the Court.

4. The retention of PSZ&J, as Counsel for the Debtor and Debtor in Possession, was approved effective *nunc pro tunc* to September 7, 2021 by this Court's "Order Pursuant to Section 327(a) of the Bankruptcy Code, Rule 2014 of the Federal Rules of Bankruptcy Procedure and Local Rule 2014-1 Authorizing the Employment and Retention of Pachulski Stang Ziehl & Jones LLP as Counsel for the Debtor and Debtor in Possession *Nunc Pro Tunc* to the Petition Date," signed on or about November 15, 2021 (the "Retention Order"). The Retention Order authorized PSZ&J to be compensated on an hourly basis and to be reimbursed for actual and necessary out-of-pocket expenses.

**PSZ&J's APPLICATION FOR COMPENSATION AND
FOR REIMBURSEMENT OF EXPENSES**

Compensation Paid and Its Source

5. The monthly fee applications (the "Monthly Fee Applications") for the period June 1, 2022 through August 31, 2022 of PSZ&J have been filed and served pursuant to the Administrative Order.

6. On October 31, 2022, PSZ&J filed its Tenth Monthly Application for Compensation and Reimbursement of Expenses of Pachulski Stang Ziehl & Jones LLP, as Counsel for the Debtor and Debtor in Possession, for the Period from June 1, 2022 through June 30, 2022 (the "Tenth Monthly Fee Application") requesting \$20,007.00 in fees and \$903.33 in expenses. The Tenth Monthly Fee Application is pending. A true and correct copy of the Tenth Monthly Fee Application is attached hereto as Exhibit A.

7. On November 2, 2022, PSZ&J filed its Eleventh Monthly Application for Compensation and Reimbursement of Expenses of Pachulski Stang Ziehl & Jones LLP, as

Counsel for the Debtor and Debtor in Possession, for the Period from July 1, 2022 through July 31, 2022 (the “Eleventh Monthly Fee Application”) requesting \$54,137.00 in fees and \$161.08 in expenses. The Eleventh Monthly Fee Application is pending. A true and correct copy of the Eleventh Monthly Fee Application is attached hereto as Exhibit B.

8. On November 2, 2022, PSZ&J filed its Twelfth Monthly Application for Compensation and Reimbursement of Expenses of Pachulski Stang Ziehl & Jones LLP, as Counsel for the Debtor and Debtor in Possession, for the Period from August 1, 2022 through August 31, 2022 (the “Twelfth Monthly Fee Application”) requesting \$120,282.00 in fees and \$1,877.35 in expenses. The Twelfth Monthly Fee Application is pending. A true and correct copy of the Twelfth Monthly Fee Application is attached hereto as Exhibit C.

9. The Monthly Fee Applications covered by this Application contain detailed daily time logs describing the actual and necessary services provided by PSZ&J during the periods covered by such applications as well as other detailed information required to be included in fee applications.

Requested Relief

10. By this Application, PSZ&J requests that the Court approve payment of one-hundred percent (100%) of the fees and expenses incurred by PSZ&J during the Interim Period of June 1, 2022 through August 31, 2022.

11. At all relevant times, PSZ&J has not represented any party having an interest adverse to this case.

12. All services for which PSZ&J requests compensation were performed for or on behalf of the Debtor.

13. PSZ&J has received no payment and no promises for payment from any source other than the Debtor for services rendered or to be rendered in any capacity whatsoever in connection with the matters covered by this Application. There is no agreement or understanding between PSZ&J and any other person other than the partners of PSZ&J for the sharing of compensation to be received for services rendered in this case. PSZ&J has received payments during the year prior to the Petition Date in the amount of \$100,000 in connection with the preparation of initial documents and the prepetition representation of the Debtor. Upon final reconciliation of the amount actually expended prepetition, any balance remaining from the payments to PSZ&J was credited to the Debtor and utilized as PSZ&J's retainer to apply to postpetition fees and expenses pursuant to the compensation procedures approved by this Court in accordance with the Bankruptcy Code. In addition, prior to the Petition Date, PSZ&J was paid \$75,000 for its services in connection with an Assignment for the Benefit of Creditors, which has been concluded.

14. The professional services and related expenses for which PSZ&J requests interim allowance of compensation and reimbursement of expenses were rendered and incurred in connection with this case in the discharge of PSZ&J's professional responsibilities as attorneys for the Debtor in this chapter 11 case. PSZ&J's services have been necessary and beneficial to the Debtor and its estate, the creditors and other parties in interest.

15. In accordance with the factors enumerated in section 330 of the Bankruptcy Code, it is respectfully submitted that the amount requested by PSZ&J is fair and reasonable given (a) the complexity of the case, (b) the time expended, (c) the nature and extent of the services rendered, (d) the value of such services, and (e) the costs of comparable services other than in a case under the Bankruptcy Code. Moreover, PSZ&J has reviewed the requirements of Del. Bankr. LR 2016-2 and the Administrative Order and believes that this Application complies with such Rule and Order.

WHEREFORE, PSZ&J respectfully requests that the Court enter an order, in the form attached hereto, providing that an interim allowance be made to PSZ&J for the period from June 1, 2022 through August 31, 2022 in the sum of \$194,426.00, as compensation for necessary professional services rendered, and the sum of \$2,941.76, for reimbursement of actual necessary costs and expenses, for a total of \$197,367.76; that the Debtor be authorized and directed to pay to PSZ&J the outstanding amount of such sums; and for such other and further relief as may be just and proper.

Dated: November 3, 2022

PACHULSKI STANG ZIEHL & JONES LLP

/s/ Laura Davis Jones

Laura Davis Jones (DE Bar No. 2436)

Colin R. Robinson (Bar No. 5524)

919 North Market Street, 17th Floor

P.O. Box 8705

Wilmington, Delaware 19899 (Courier 19801)

Telephone: (302) 652-4100

Facsimile: (302) 652-4400

Email: ljones@pszjlaw.com

crobinson@pszjlaw.com

Counsel to the Debtor and Debtor in Possession

DECLARATION

STATE OF DELAWARE :
:
COUNTY OF NEW CASTLE :

Laura Davis Jones, after being duly sworn according to law, deposes and says:

a) I am a partner with the applicant law firm Pachulski Stang Ziehl & Jones LLP, and have been admitted to appear before this Court.

b) I am familiar with the work performed on behalf of the debtor and debtor in possession by the lawyers and paraprofessionals of PSZ&J.

c) I have reviewed the foregoing Application and the facts set forth therein are true and correct to the best of my knowledge, information and belief. Moreover, I have reviewed Del. Bankr. LR 2016-2 and the Administrative Order signed on or about October 21, 2021 and submit that the Application substantially complies with such Rule and Order.

/s/ Laura Davis Jones
Laura Davis Jones